

ORIGINAL

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

FRANK G. ROSENSKI, Derivatively On Behalf of
SYMBOL TECHNOLOGIES, INC.,

vs.

WILLIAM R. NUTI, SALVATORE IANNUZZI,
MARK T. GREENQUIST, ROBERT J. CHRENC,
GEORGE SAMENUK, MELVIN A. YELLIN,
EDWARD KOZEL, and J. MICHAEL LAWRIE,

Defendants,

-and-

SYMBOL TECHNOLOGIES, INC., a Delaware
corporation,

Nominal Defendant.

06
Case No.

0696

FEB 14 2006
MURLEY, J.
BROOKLYN OFFICE

WALL M.

RELATED CASE AFFIDAVIT

STATE OF NEW YORK)
)
) ss:
COUNTY OF NEW YORK)

PETER E. SEIDMAN, being duly sworn, deposes and says:

1. I am a partner at the law firm of Milberg Weiss Bershad & Schulman LLP, attorneys for plaintiff in the above-captioned action, which is brought under federal law in connection with alleged violations of the federal securities laws and state law.
2. Upon information and belief, this action is related to the previously-filed consolidated actions, In re: Symbol Technologies Derivative Litigation, Lead Civil Action No. 2:05-CV-4536-DRH-WDW, which also assert similar claims based on violations of the federal securities and state laws by defendants and arise out of the same nucleus of common operative facts.

3. Accordingly, it is respectfully submitted that this action should be assigned as a related case to the Honorable Denis R. Hurley.



Peter E. Seidman (PS-8769)

Sworn to before me this 16th
day of February 2006
David J. Sclafani
Notary Public

DAVID J. SCLAFANI
NOTARY PUBLIC, State of New York
No. 01SC6057709
Qualified in Kings County
Commission Expires April 23, 2007